

**Amendment No. 2 to HB2892**

**Hargrove**  
**Signature of Sponsor**

**AMEND Senate Bill No. 2737\***

**House Bill No. 2892**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting from the printed bill all language following the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 65-5-201, is amended by adding the following as an appropriately designated subsection:

(c) Notwithstanding any other provision of law, the tariffs of incumbent local exchange telephone companies establishing rates and/or terms for telecommunications services shall be filed with the authority and shall be effective twenty-one (21) days after filing, subject to the following requirements:

(1) Tariffs establishing rates of terms that are valid only for one hundred eighty (180) days or less shall be effective one (1) business day after filing.

(2) Tariffs may be revoked by the authority, after notice and a hearing.

(3) Tariffs may be suspended pending such hearing on showing by a complaining party that:

(A) The complaining party has filed a complaint before the authority alleging with particularity that the tariff violates a specific law;

(B) The complaining party would be injured as a result of the tariff and has specifically alleged how it would be so injured; and

(C) the complaining party has a substantial likelihood of prevailing on the merits of the complaint.

In the absence of any complaining party, the TRA may suspend a tariff pending hearing, on its own motion, upon finding such suspension to be in the public interest. The standard established herein for suspension of tariffs shall apply at all times, including the 21- or 1-day period between filing and effectiveness.

The standard established herein for suspension of tariffs shall not be applicable in any way to the determination by the TRA of whether to convene a contested case to consider revocation of a tariff. The TRA may choose to convene a contested case, or decline to convene a contested case, in its own discretion, to promote the public interest. The standard established herein for suspension of tariffs shall not be applicable in any way to any decision by the TRA regarding revocation of a tariff.

(4) Nothing herein shall alter the existing power of the authority to review those rate increases which are governed by price regulation or rate of return.

(5) Notwithstanding the provisions of this section, the TRA may, in its discretion, shorten the twenty-one (21) day period between filing and effectiveness for good cause shown.

SECTION 2 This act shall take effect upon becoming a law, the public welfare requiring it.